

O.I.P.T.
JAN 07 2003
C
U.S. PATENTS & TRADEMARKS
1099
COPY

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence (with all attachments) is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on

1/2/03

Paul Y. Feng

Paul Y. Feng

Registration No. 35,510

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Inventor: Pacetti et al.

Serial No.: 10/034,715

Filed: December 26, 2001

For: MRI COMPATIBLE GUIDE
WIRE

) Examiner: Unknown
) Group Art No.: 3739
) Docket No.: ACS-58289 (2709P)
)
)
)
)
)
)
JAN. 2, 2003
) Los Angeles, California

**AMENDMENT AND PETITION TO CORRECT
INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)**

RECEIVED
JAN 09 2003
TECHNOLOGY CENTER R3700

Commissioner For Patents
Washington, DC 20231-9998

Dear Sir:

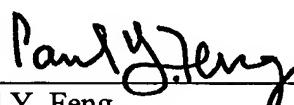
This Amendment and Petition is filed in order to correct the incorrect original naming of inventors in the Declaration filed December 26, 2001. It is requested that DOUGLAS H. GESSWEIN and EMMANUEL C. BIAGTAN be added as Inventors of this application. The residence address of DOUGLAS H. GESSWEIN is 40840 Via Los Altos, Temecula, California 92591 and the residence address of EMMANUEL C. BIAGTAN is 43001 Manchester Court, Temecula, California 92592. The application was filed omitting the names of DOUGLAS H. GESSWEIN and EMMANUEL BIAGTAN through error, and without any deceptive intention on their part.

An executed Declaration by each of the actual inventors as required under 37 C.F.R. § 1.63 is provided herein. Also provided is a written statement from the assignee of the original named inventors assenting to the correction of inventorship.

A check in the amount of \$130.00 is enclosed to cover the fee set forth in 37 C.F.R. § 1.17(i). The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-2425. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP


Paul Y. Feng
Reg. No. 35,510
Attorneys for Applicant

TECHNOLOGY CENTER R3700

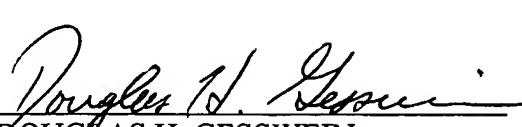
JAN 09 2003

RECEIVED

PYF:DRP/vbd

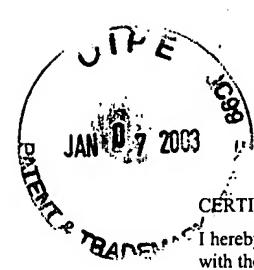
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, California 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24,201

Dec 16, 2002
Date


DOUGLAS H. GESSWEIN
Inventor

Dec. 16, 2002
Date


EMMANUEL C. BIAGTAN
Inventor



CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence (with all attachments) is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on

1/2/03

Paul Y. Feng

Paul Y. Feng

Registration No. 35,510

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

) Examiner: Unknown

Inventor: Pacetti et al.

) Group Art No.: 3739

Serial No.: 10/034,715

) Docket No.: ACS-58289 (2709P)

Filed: December 26, 2001

)

For: MRI COMPATIBLE GUIDE
WIRE

) JAN. 2, 2003
Los Angeles, California

**ASSENT OF ASSIGNEE TO CORRECTION OF
INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)**

Commissioner For Patents
Washington, DC 20231-9998

Dear Sir:

I, Thomas R. Peterson, having the authority to act on behalf of Assignee, ADVANCED CARDIOVASCULAR SYSTEMS, INC., hereby assent to the correction of inventorship filed herewith which adds DOUGLAS H. GESSWEIN and EMMANUEL C. BIAGTAN as inventors. Assignee herein submits a statement under 37 C.F.R. § 3.73(b) establishing its ownership in the subject application.

Respectfully submitted,

Thomas R. Peterson

Thomas R. Peterson
Vice President, Secretary and General Counsel
ADVANCED CARDIOVASCULAR SYSTEMS, INC.

PYF:DRP/vbd

6060 Center Drive, Tenth Floor
Los Angeles, California 90045

Telephone: (310) 824-5555

Facsimile: (310) 824-9696

Customer No. 24,201

[258580.1]

RECEIVED
TECHNOLOGY CENTER R3700
JAN 09 2003

ASSIGNEE CERTIFICATION UNDER 37 CFR 3.73(b)

For submissions on behalf of ADVANCED CARDIOVASCULAR SYSTEMS, INC., the undersigned, whose title is provided below, is empowered to act on behalf of the Assignee. In accordance with 37 CFR 3.73(b) the Assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of Assignee's information, knowledge and belief, title is in the Assignee seeking to take this action. ADVANCED CARDIOVASCULAR SYSTEMS, INC. a California corporation, having a place of business at 3200 Lakeside Drive, Santa Clara, California 95054, states that it is the Assignee and owner of 100 percent interest in U.S. Application No. 10/034,715, filed December 26, 2001, as recorded at reel 012433, Frame 0556.

Date: DEC 20 2002

TRP T R P

Thomas R. Peterson
Vice President, Secretary and General Counsel
ADVANCED CARDIOVASCULAR SYSTEMS, INC.

FULWIDER PATTON LEE & UTECHT, LLP
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Tele. No. (310) 824-5555
Facsimile No. (310) 824-9696

[258580,1]



Docket No. ACS 58289 (2709P)
Page 1 of 3

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residences, mailing addresses, and citizenship are as stated below next to our names.

We believe we are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled MRI COMPATIBLE GUIDE WIRE the specification of which (check one)

 is attached hereto
X was filed on December 26, 2001
Application Serial No. 10/034,715
and was amended on (or amended through) _____
(if applicable)

RECEIVED

JAN 09 2003

TECHNOLOGY CENTER R3700

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) specifically referred to above.

We acknowledge the duty to disclose information which is material patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

<u>Number</u>	<u>Country</u>	<u>Foreign Filing Date</u> <u>MM/DD/YYYY</u>	Priority Claimed <u>Yes</u> <u>No</u>
NONE			

We hereby claim the benefit under Title 35, United States Code, Sec. 119(e) of any United States provisional application(s) listed below:

<u>Provisional Appln. Serial No.(s)</u>	<u>Filing Date MM/DD/YYYY</u>	<u>Status (patented, pending, abandoned)</u>
NONE		

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

EARL A. BRIGHT II, Registration No. 37,045; TIM L. KITCHEN, Registration 41,900; PHILIP S. YIP, Registration 37,265; RICHARD A. BARDIN, Registration No. 20,365; GILBERT G. KOVELMAN, Registration No. 19,552; JOHN S. NAGY, Registration No. 30,664; THOMAS H. MAJCHER, Registration No. 31,119; THOMAS A. RUNK, Registration No. 30,679; RONALD E. PEREZ, Registration No. 36,891; JOHN V. HANLEY, Registration No. 38,171; RICHARD B. CATES, Registration No. 36,100; JOHN K. FITZGERALD, Registration No. 38,881; PAUL Y. FENG, Registration No. 35,510; HOWARD N. SOMMERS, Registration No. 24,138; GUNTHER O. HANKE, Registration No. 32,989; and JAMES JUO, Registration No. 36,177. Direct all telephone calls to Paul Y. Feng, at telephone No. (310) 824-5555.

Address all correspondence to:

FULWIDER PATTON LEE & UTECHT, LLP
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, California 90045

Full name of first inventor: STEPHEN D. PACETTI

Inventor's signature: _____

Date: _____, 2002

Residence: San Jose, California

Citizenship: US

Mailing Address: 4578 Madoc Way
San Jose, CA 95130

Full name of fifth inventor: DOUGLAS H. GESSWEIN

Inventor's signature: Douglas H. Gesswein

Date: Dec. 16, 2002

Residence: Temecula, California

Citizenship: US

Mailing Address: 40840 Via Los Altos
Temecula, CA 92591

Full name of sixth inventor: EMMANUEL C. BIAGTAN

Inventor's signature: Emmanuel C Biagtan

Date: Dec. 16, 2002

Residence: Temecula, California

Citizenship: US

Mailing Address: 43001 Manchester Court
Temecula, CA 92592



Docket No. ACS 58289 (2709P)
Page 1 of 3

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residences, mailing addresses, and citizenship are as stated below next to our names.

We believe we are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled MRI COMPATIBLE GUIDE WIRE the specification of which (check one)

 is attached hereto
X was filed on December 26, 2001
Application Serial No. 10/034,715
and was amended on (or amended through) _____
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) specifically referred to above.

We acknowledge the duty to disclose information which is material patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

<u>Number</u>	<u>Country</u>	Foreign Filing Date <u>MM/DD/YYYY</u>	Priority Claimed <u>Yes</u> <u>No</u>
NONE			

We hereby claim the benefit under Title 35, United States Code, Sec. 119(e) of any United States provisional application(s) listed below:

Provisional <u>Appln. Serial No.(s)</u>	Filing Date <u>MM/DD/YYYY</u>	<u>Status (patented, pending, abandoned)</u>
NONE		

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

EARL A. BRIGHT II, Registration No. 37,045; TIM L. KITCHEN, Registration 41,900; PHILIP S. YIP, Registration 37,265; RICHARD A. BARDIN, Registration No. 20,365; GILBERT G. KOVELMAN; Registration No. 19,552; JOHN S. NAGY, Registration No. 30,664; THOMAS H. MAJCHER, Registration No. 31,119; THOMAS A. RUNK, Registration No. 30,679; RONALD E. PEREZ, Registration No. 36,891; JOHN V. HANLEY, Registration No. 38,171; RICHARD B. CATES, Registration No. 36,100; JOHN K. FITZGERALD, Registration No. 38,881; PAUL Y. FENG, Registration No. 35,510; HOWARD N. SOMMERS, Registration No. 24,138; GUNTHER O. HANKE, Registration No. 32,989; and JAMES JUO, Registration No. 36,177. Direct all telephone calls to Paul Y. Feng, at telephone No. (310) 824-5555.

Address all correspondence to:

FULWIDER PATTON LEE & UTECHT, LLP
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, California 90045

Full name of first inventor: STEPHEN D. PACETTI

Inventor's signature: Stephen Pacetti

Date: Dec 17, 2002

Residence: San Jose, California

Citizenship: US

Mailing Address: 4578 Madoc Way
San Jose, CA 95130

Full name of fifth inventor: DOUGLAS H. GESSWEIN

Inventor's signature: _____

Date: _____, 2002

Residence: Temecula, California

Citizenship: US

Mailing Address: 40840 Via Los Altos
Temecula, CA 92591

Full name of sixth inventor: EMMANUEL C. BIAGTAN

Inventor's signature: _____

Date: _____, 2002

Residence: Temecula, California

Citizenship: US

Mailing Address: 43001 Manchester Court
Temecula, CA 92592